knew he had struck anyone when he failed to stop. *Held,* though lack of knowledge on the part of the defendant would be a defense, the indictment was sufficient because the word "knowingly" did not appear in the statute in the description of the act denounced as the offense. *Scott* v. *State* (Tex. Cr. App., 1921) 233 S. W. 1097.

Where a statute states the elements of a crime it is generally correct to describe the crime in the words of the statute. *State* v. *Blackington,* 111 Me. 229. But "where the words of the statute by their generality may embrace acts which fall within the terms but not within the spirit or meaning of the statute the specific facts must be alleged to bring the defendant precisely within the inhibition of the law." *State* v. *Doran,* 99 Me. 329. "While as a general rule it is sufficient to charge a statutory offense in the words of the statute, the information must contain a statement of the acts constituting the offense and if the statutory words are not sufficient it must be expanded beyond them." *Wilcox* v. *State,* 13 Okla. Crim. 599. These rulings are but illustrations of the general rule that the indictment must charge a crime and so must state specifically all the facts and circumstances necessary to constitute the offense charged. *Brown* v. *Williams,* 31 Me. 403. The principal case squarely raises the question of whether or not the indictment need allege an element construed into the statute by the court in order to give effect to the legislative intent. When a statute specifically requires that an act be done knowingly, knowledge must be averred to charge the crime. *Bailey* v. *Commonwealth,* 78 Va. 19; *Powers* v. *State,* 87 Ind. 97. *James and Mollie Robeson* v. *State,* 50 Tenn. 266, *contra,* on the ground that knowledge is not an element of the offense but lack of knowledge is a matter of defense. If knowledge must be alleged when it is mentioned in the enactment there is no reason why it should not be alleged when the court reads it into the act. This application of the cardinal rule of criminal pleading, that the indictment must charge a crime, is sustained by numerous authorities which hold that the indictment must set forth specifically even elements of the offense that are implied by the statute as well as those that are specified. *Commonwealth* v. *Stout,* 7 B. Mon. (Ky.) 247; *United States* v. *Carll,* 105 U. S. 611; *Birney* v. *State,* 8 Ohio 230; *State* v. *Downer,* 8 Vt. 424; *Harrington* v. *State,* 54 Miss. 490; *Wilcox* v. *State, supra.* Among the cases *contra* are *Pierce* v. *State,* 10 Texas 556; and *Halsted* v. *State,* 41 N. J. Law 552.

CRIMINAL LAW—JURISDICTION—DEFENDANT ILLEGALLY BROUGHT INTO JURISDICTION.—Petitioner while serving a sentence in the United States penitentiary at Atlanta, Ga., was taken by the warden, on a telegram from the Attorney General and without the institution of proceedings for his removal under REV. ST. 1014 (COMP. ST. 1674), into the southern district of New York, and on his arrival there was brought into court on a writ of *habeas corpus ad prosequendem,* and was convicted for another offense. *Held,* that, while he was brought into the district of trial illegally, such fact did not affect the jurisdiction of the court to try him nor invalidate the judgment. *Ex parte Lamar,* 274 Fed. 160.

In civil cases "the law will not permit a person to be kidnapped or decoyed within the jurisdiction for the purpose of being compelled to answer to a mere private claim." *In re Johnson,* 167 U. S. 120. But a different rule has always obtained in criminal cases. In one of the earlier cases, *Ex parte Susannah Scott,* 9 B. & C. 446, the question of the prisoner's right to be released because she was illegally arrested in Belgium and brought to England was argued before Lord Tenterden. He held that where a party charged with a crime is found in the country, it was the duty of the court to take care that he should be amenable to justice and it could not consider the circumstances under which he was brought there. In the United States the decisions uniformly hold that, in criminal cases, the jurisdiction of the court in which the offense charged was committed is not impaired by the manner in which the accused was brought before it. 15 L. R. A. 177, *note.* So that "if a person is brought within the jurisdiction of one state from another or from a foreign country, by the unlawful use of force, which would render the officer liable to a civil action, or in a criminal proceeding because of this forcible abduction, such fact would not prevent the trial of the person thus abducted in the state where he had committed that offense." *Adams* v. *New York,* 192 U. S. 585, 596. The same doctrine was declared in *State* v. *Ross,* 21 Iowa 467, where the court noting the distinction between civil and criminal cases said: "In the one (civil) the party invoking the aid of the court is guilty of fraud or violence in bringing the defendant or his property within the jurisdiction of the court. In the other (criminal) the people, the State is guilty of no wrong." The concurrence of opinion has seemed to proceed on the ground that the offender against the law of the state is not relieved from liability because of personal injuries received from private parties, or because of indignities committed against another state. The question has had an interesting history in the federal courts where relief has been sought by persons forcibly removed from one jurisdiction to another. In *Ker* v. *Illinois,* 119 U. S. 436, and *Mahon* v. *Justice,* 127 U. S. 700, it was adjudged that in such a case neither the Constitution, nor the laws of the United States entitled the person so held to be discharged from custody and allowed to depart from the jurisdiction. In *Lascelles* v. *Georgia,* 148 U. S. 537, the same principle was announced where a fugitive from justice, surrendered upon a requisition charging him with the commission of a specific crime, had been tried for a different crime by the state to which he had been returned. In *Pettibone* v. *Nichols,* 203 U. S. 192, Justice McKenna dissenting, counsel attempted to distinguish this case on the ground suggested in *State* v. *Ross, supra,* and contended that the states through their officers were the offenders in effecting the abduction, but the court held that it could not properly inquire into the methods by which the state obtained custody of the defendant. Mr. Justice McKenna dissenting said, "the distinction is important to observe," for, as he remarks, "no individual or individuals could have accomplished what the power of two states accomplished." However, as suggested in the principal case the controlling considerations are those of public policy and "the interest of the public overrides that which is, after all, a mere privilege from arrest."